



10/741,636

IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE

**PATENT APPLICATION**

Applicants: Vlad MITLIN, Richard G.C. WILLIAMS

Atty. Doc.: 3Com-72/1(3292TDCUSP)

Serial No.: 09/741,363 636 Filed: December 20, 2002

Group Art Unit: 2133 Confirmation No.: 5636

Examiner: Guy J. Lamarre

Title: PERFORMANCE EVALUATION OF MULTICARRIER CHANNELS

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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**AMENDMENT**

In response to the Office Action (Paper No. 8) dated July 7, 2004, the Applicants provide the following remarks.

Terminal Disclaimer

The Examiner has rejected claims 8-17, 21-27 and 54-65 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-11 of United States Patent No. 6,732,323.

Also, the Examiner has rejected claims 18, 20-25, 42-43 and 44-55 under the judicially created doctrine of

obviousness-type double patenting as being unpatentable over claims 1-7, 18-20, 28--53 and 61-65 of United States patent application 09/741,639 (US PG Pub #2002/0108081).

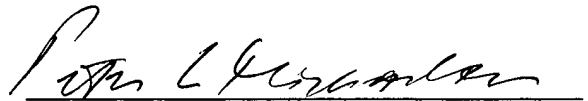
In response, the Applicants have now enclosed an appropriate Terminal Disclaimer herewith.

This application is now in condition for allowance. Both reconsideration and swift passage to allowance are earnestly solicited.

If the Examiner believes that there are any unresolved issues remaining in the application, the Examiner should telephone Mr. Peter L. Michaelson, Esq. at (732) 530-6671 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

August 24, 2004

  
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CERTIFICATE OF MAILING under 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited on **August 25, 2004** with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Peter C. Hurlock*

Signature

*30,090*

Reg. No.